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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/759,355

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Tomoharu Tsuji

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EXAMINER

BENGHUZZI, MOHSIN M

ART UNIT

PAPER NUMBER

2611

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

04/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/759,355

Applicant(s)

TSUJI, TOMOHARU

Examiner

Mohsin (Ben) Benghuzzi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>29 July 2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because of the following:

Block 104 in Fig. 1 is referred to in the specification as 'RAM' (see page 10, 2nd paragraph of the specification), however, in the figure, it is labeled as 'ROM.' Examiner requests that the label in the figure be changed to 'RAM.'

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Romao et al. (US 4,594,609).

1) Regarding claim 1:

Romao et al. discloses a data transmission system comprising:

a first electronic apparatus for transmitting a synchronous signal at each of preselected intervals (column 2, lines 38-45 and column 18 lines 20-23, wherein, the 'transmitter or head-end station' is interpreted as the first electronic apparatus and 'intervals of synchronization information' is interpreted as the synchronous signal at each of preselected intervals. See also column 3, lines 34-39); and

a second electronic apparatus having reception periods synchronous with respective synchronous signals transmitted from the first electronic apparatus (column 4, lines 7-12 and column 6 lines 50-55, wherein, the 'television receiver' is interpreted as the second electronic apparatus; column 2 lines 41-45, wherein, the 'scrambler and unscrambler are linked in time' is interpreted as the second electronic apparatus having reception periods synchronous with respective synchronous signals transmitted from the first electronic apparatus. See also column 14, line 68 to column 15, line 8).

Regarding a second electronic apparatus receiving the synchronous signal for each of the reception periods, Romao et al. does not specifically disclose receiving the synchronous signal for each of the reception periods, however, it is well known in the relevant art that horizontal synchronization pulses are incorporated in a video signal in order to synchronize lines of video information at a TV receiver with those transmitted by the transmitter, wherein, the receiver, i.e., the second electronic apparatus, receives the synchronous pulses periodically upon the completion of each line of video information indicating the beginning of a new line.

2) Regarding claim 12:

Romao et al. discloses a data transmission system comprising: a first information processing unit for transmitting a synchronous signal at preselected intervals; and a second information processing unit, the second information processing unit having a signal reception period corresponding to a timing synchronous with the synchronous signal so that the first and second information processing units are synchronized with each other (column 2, lines 38-45 and column 18 lines 20-23, wherein, the 'transmitter or head-end station' is interpreted as the first information processing unit and 'intervals of synchronization information' is interpreted as the synchronous signal at preselected intervals; see also column 3, lines 34-39. Column 4, lines 7-12 and column 6 lines 50-55, wherein, the 'television receiver' is interpreted as the second information processing unit; column 2 lines 41-45, wherein, the 'scrambler and unscrambler are linked in time' is interpreted as the second information processing unit having a signal reception period corresponding to a timing synchronous with the synchronous signal so that the first and

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second information processing units are synchronized with each other; see also column 14, line 68 to column 15, line 8).

Romao et al. does not specifically disclose the second information processing unit is for receiving the synchronous signal, however, it is clearly obvious to one of ordinary skill in the relevant art that for the second information processing unit to have a signal reception period corresponding to a timing synchronous with the synchronous signal so that the first and second information processing units are synchronized with each other, the second information processing unit must be receiving the synchronous signal from the first information processing unit.

4. Claims 2, 3, 5-8, 10, 11, 13, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Romao et al. (US 4,594,609) in view of Jones et al. (US 6,493,649).

1) Regarding claim 2:

Romao et al. does not disclose a system wherein the synchronous signal for each of the reception periods contains identification information; and wherein the second electronic apparatus comprises communication means for receiving in a wireless manner the synchronous signals during the respective reception periods, and storage means for storing at least the identification information contained in the synchronous signals.

However, Jones et al. discloses a system wherein the synchronous signal for each of the reception periods contains identification information (column 5 lines 35-38,

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wherein, 'address information' is interpreted as the identification information); and wherein the second electronic apparatus comprises communication means for receiving in a wireless manner the synchronous signals during the respective reception periods (column 3 lines 20-25, wherein, 'through space' is interpreted as a wireless manner), and storage means for storing at least the identification information contained in the synchronous signals (column 5 lines 47-51, wherein, 'compares the received address with its own' is interpreted as the second device, in order to be able to compare, must comprise storage means for first storing the address).

It is desirable that a received synchronous signal contains identification information. Identification information identifies the transmitter that transmitted the synchronous signal and, thus, communication between the correct and intended receiver and transmitter is established. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the synchronous signal of Romao et al. include identification information, as Jones et al. teaches, in order for communication to be established between the correct transmitter and receiver. Furthermore, it is well known in the relevant art that wireless reception and having storage means are desirable. Therefore, for the second electronic apparatus to comprise means for receiving in a wireless manner the synchronous signals, and to comprise storage means would have been obvious to one of ordinary skill in the art at the time the invention was made.

2) Regarding claim 3:

Jones et al. discloses a system wherein the communication means includes means for receiving the synchronous signal by carrying out a scanning operation for a continuous period of time (column 2 lines 26-27 and column 21 lines 63-67, wherein, monitoring for '20 ms' is interpreted as scanning for a continuous period of time. As disclosed in the instant application at the third timing diagram of Figure 2 of the disclosure, examiner interprets the claimed 'continuous period of time' as a window of a relatively long period of time).

3) Regarding claim 5:

Jones et al. discloses a system wherein the first electronic apparatus includes transmitting means for transmitting a data request signal at a timing synchronous with a corresponding one of the synchronous signals (column 11 lines 52-55 and column 17 lines 27-28); and wherein the storage means of the second electronic apparatus stores data to be transmitted (226 in Fig. 21 and column 26 lines 55-61), and the communication means of the second electronic apparatus transmits the data stored in the storage means in accordance with the data request signal transmitted by the transmitting means (column 5 lines 49-51, wherein, the 'transponder' is interpreted as the second electronic apparatus transmitting the data stored).

4) Regarding claim 6:

Jones et al. discloses, wherein the first electronic apparatus includes means for receiving a data transmission end signal transmitted from the communication means of

the second electronic apparatus (column 5 lines 12-15, wherein, 'commencement of a reception-sensitive period' is interpreted as including means for signal reception).

Jones et al. discloses, for transmitting the synchronous signal at the corresponding preselected interval after the communication means of the second electronic apparatus receives the verification signal (column 5 lines 10-13, wherein, 'a receiver' is interpreted as the first electronic apparatus).

Romao et al. or Jones et al. do not specifically disclose receiving a data transmission end signal, and transmitting a verification signal to the communication means of the second electronic apparatus in accordance with the received data transmission end signal, however, transmission or reception of both an indicator of data transmission termination and a signal verifying such are acknowledgements (ACKs) that are well known in the art of data communications.

5) Regarding claim 7:

Jones et al. discloses a wearable communication device comprising: wireless communication means for receiving in a wireless manner a synchronous signal containing identification information in accordance with a reception period corresponding to a timing synchronous with the synchronous signal; and storage means for storing the identification information contained in the synchronous signal (column 19 lines 28-29, column 5 lines 35-38, wherein, 'address information' is interpreted as the identification information, column 3 lines 20-25, wherein, 'through space' is interpreted as a wireless manner, and column 5 lines 47-51, wherein, 'compares the received

address with its own' is interpreted as comprises storage means for storing an address, i.e., for storing the identification information).

Jones et al. does not specifically disclose receiving a synchronous signal, however, as discussed in claim 1 above, Romao et al. discloses receiving a synchronous signal (column 4, lines 7-9)

6) Regarding claim 8:

Jones et al. discloses a wearable communication device according to claim 7; wherein the communication means includes means for receiving the synchronous signal by carrying out a scanning operation for a continuous period of time (column 19 lines 28-29, column 2 lines 26-27, and column 21 lines 63-67, wherein, monitoring for '20 ms' is interpreted as scanning for a continuous period of time. As disclosed in the instant application, at the third timing diagram of Figure 2 of the disclosure, examiner interprets the claimed 'continuous period of time' as a window of a relatively long period of time).

7) Regarding claim 10:

Jones et al. discloses a wearable communication device according to claim 7; wherein the storage means stores data to be transmitted; and wherein the communication means transmits the data stored in the storage means in response to a data request signal received for the reception period (column 19 lines 28-29, 226 in Fig. 21, column 26 lines 55-61, and column 5 lines 49-51).

8) Regarding claim 11:

As discussed in claim 6 above, transmission or reception of both an indicator of data transmission termination and a signal verifying such are acknowledgements (ACKs) that are well known in the art of data communications.

Regarding the data being stored in the transmitter's storage means, as discussed in claim 5 above, Jones et al. discloses the data being stored in the storage means (226 in Fig. 21 and column 26 lines 55-61).

9) Regarding claim 13:

As discussed in claim 2 above, Jones et al. discloses a system wherein the synchronous signal contains identification information; and wherein the second information processing unit comprises communication means for receiving in a wireless manner the synchronous signal during the reception periods, and storage means for storing at least the identification information contained in the synchronous signal (column 5 lines 35-38, wherein, 'address information' is interpreted as the identification information, column 3 lines 20-25, wherein, 'through space' is interpreted as a wireless manner, column 5 lines 47-51, wherein, 'compares the received address with its own' is interpreted as the second information processing unit comprises storage means for storing an address, i.e., for storing the identification information).

10) Regarding claim 14:

Jones et al. discloses a system wherein the communication means includes means for receiving the synchronous signal by carrying out a scanning operation for a continuous period of time (column 2 lines 26-27 and column 21 lines 63-67, wherein,

monitoring for '20 ms' is interpreted as scanning for a continuous period of time. As disclosed in the instant application, at the third timing diagram of Figure 2 of the disclosure, examiner interprets the claimed 'continuous period of time' as a window of a relatively long period of time).

11) Regarding claim 16:

Jones et al. discloses a system wherein the first information processing unit includes transmitting means for transmitting a data request signal at a timing synchronous with the synchronous signal; and wherein the second information processing unit comprises storage means for storing data to be transmitted, and the communication means of the second information processing unit transmits the data stored in the storage means in accordance with the data request signal transmitted by the transmitting means (column 11 lines 52-55, column 17 lines 27-28, 226 in Fig. 21, column 26 lines 55-61, and column 5 lines 49-51).

5. Claims 4, 9, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Romao et al. (US 4,594,609) and Jones et al. (US 6,493,649), and further in view of Schoen et al. (US 6,285,318).

1) Regarding claim 4:

Romao et al. or Jones et al. do not disclose wherein the communication means includes means for receiving the synchronous signal by carrying out a plurality of scanning operations at preselected intervals. However, Schoen et al. discloses wherein the communication means includes means for receiving the synchronous signal by

carrying out a plurality of scanning operations at preselected intervals (column 8 lines 39-48, wherein, examiner interprets the claimed 'plurality of scanning operations at preselected intervals' to be a train of pulses within a preselected time interval, as disclosed at the third timing diagram of Figure 3 of the instant application).

It is advantageous that for synchronous signal reception means, scanning operation is carried out in a plurality fashion. In such scanning, power is transmitted intermittently during the preselected time interval, and thus, less power consumption results. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the system of Romao et al. and Jones et al. receive the synchronous signal by carrying out a plurality of scanning operations at preselected intervals, as Schoen et al. teaches.

2) Regarding claim 9:

As discussed in claim 4 above, Schoen et al. discloses; wherein the communication means includes means for receiving the synchronous signal by carrying out a plurality of scanning operations at preselected intervals (column 8 lines 39-48, wherein, examiner interprets the claimed 'plurality of scanning operations at preselected intervals' to be a train of pulses within a preselected time interval, as disclosed at the third timing diagram of Figure 3 of the instant application).

3) Regarding claim 15:

As discussed in claim 4 above, Schoen et al. discloses; wherein the communication means includes means for receiving the synchronous signal by carrying out a plurality of scanning operations at preselected intervals (column 8 lines 39-48,

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wherein, examiner interprets the claimed 'plurality of scanning operations at preselected intervals' to be a train of pulses within a preselected time interval, as disclosed at the third timing diagram of Figure 3 of the instant application).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jin et al. (US Pub 2004/0186365) discloses a glucose monitoring system comprising a sensor to detect the glucose level, a transmitter to transmit the detected glucose level, and a receiver to receive the transmitted glucose level.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohsin (Ben) Benghuzzi whose telephone number is (571) 270-1075. The examiner can normally be reached Monday through Friday, 8:30am- 5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mohsin (Ben) Benghuzzi

March 21, 2007


MOHAMMED GHAYOUR
SUPERVISORY PATENT EXAMINER